



Lamoine Board of Selectmen

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Minutes of April 4, 2013

Chair Jo Cooper called the meeting to order at 7:00 PM.

Present were: Selectmen Bernie Johnson, Gary McFarland, S. Josephine Cooper, Cynthia Donaldson, Nathan Mason; Administrative Assistant Stu Marckoon, Fire Chief George "Skip" Smith, Cathy Gaianguet, Planning Board members Gordon Donaldson, John Holt, Conservation Commission Member Carol Korty and Mark Pierce of Paper Talks Magazine.

Agenda Review – There was no change from the printed agenda.

Minutes of March 21, 2013 – Gary moved to approve the minutes as written. Nathan 2nd. **Vote in favor was 5-0.**

Expenditure Warrant 19 – Selectmen signed the warrant in the amount of \$15,036.27. Stu reported that the financial report printed earlier that day did not include a pass-through check from Harold MacQuinn, Inc for a peer review required by the Planning Board. Jo asked about a mileage check to Deputy Harbor Master Kevin Murphy. Stu said he had attended a 3-day Harbor Master Conference in Castine.

Cash & Budget Report – Jo noted the fire truck payment line was \$90 under budget. Stu reported the truck was paid off early and the town and fire department saved some interest.

Checking Account Reconciliation – The Selectmen signed the statement expressing satisfaction with the reconciliation of the checking account which was e-mailed to them earlier in the week.

Excise Tax Report – Stu reported the first quarter excise tax collections had picked up from previous years significantly. He noted this has been a very busy week for excise tax collection.

Governor's Response to State Budget Resolve – Selectmen noted that they had received the letter from Governor LePage in reaction to the resolve that was signed a few meetings ago. Cynthia said she was glad they sent it. Nathan said the state needed to know that the town was not happy with the proposed budget.

Bangor Hydro Private Line Maintenance – Stu recommended that the town decline the offer to purchase a maintenance agreement from Bangor Hydro for lines leading into the transfer station and salt/sand shed which would cost about \$10/month extra. There was no objection.

Meet with Representative from Paper Talks Magazine – Jo said she was a big fan of the magazine. Mark Pierce said he was present to see if the town wished to advertise in an upcoming issue of the magazine featuring basketball. He said the town office would get several copies of the publication for distribution and it would be a good show

of support. He noted that he had been approached by the Town of Houlton years ago when they were not included in an issue. He recommended a \$373.00 ad with a circulation of 9,000 copies. Jo said she wasn't sure how to justify the expense. Cynthia said she wasn't sure what the town would advertise. Jo noted the town doesn't have a very big budget and said she had no interest in an ad. Mr. Pierce thanked the Selectmen for their time.

Meeting with Fire Chief re: new fire truck timeline – Chief George “Skip” Smith said he'd like to get the ball rolling on a timeline for ordering a new truck. He said one presented by Stu might work well with the bids for a chassis to be back in early July for an opening. Cynthia asked what a chassis was, and Chief Smith explained. An error in the time line memo was noted that the word chassis was used instead of body on the final part of the truck purchase.

Jo reviewed the memo time line. Nathan asked how far out the bid requests are sent. Chief Smith said anyone can bid on the package, and a brief discussion followed. Jo noted the memo stressed that the specifications cannot be too specific. Chief Smith said they would make the specs as generic as possible. Jo asked if the chief would open the bids. Stu said he would recommend that the chief do it and come back to the board with a recommendation at the July meeting.

Bernie asked how long it would take for delivery. Chief Smith said generally about 4-months. A discussion followed about not wanting to have the truck delivered in January. Discussion then followed about having the loan and cash available for payment, as well as the timing of the chassis and body specifications. Bernie asked if there was any opportunity to save some time. Chief Smith said the chassis bid could be put out in May, but the budget doesn't start until July 1st. Stu said he would start the bond process to have that ready to roll by July first. Jo said they would aim for a chassis award at the July 11, 2013 meeting.

Gravel Ordinance – Jo reported that the Board of Selectmen received advice from Maine Municipal Association that both the Gravel and Site Plan Review Ordinances approved by town meeting on March 13, 2013 must be signed. Cynthia said she was stunned after watching the last meeting that there was sentiment about not wanting to sign something the meeting had passed. Bernie said there was some confusion, but no one was trying to undermine the will of the people.

Selectmen signed both ordinances which had been ready for signature on March 21, 2013.

April 16, 2013 Workshop With Planning Board – Jo said the format for the meeting was discussed via e-mail. She said the Selectmen called the meeting, so she as chair would run the meeting. She said she would like to start it with talking with the Planning Board about things in general. She said the Selectmen were trying to openly communicate, and it's better to sit down face to face to do it. She noted the Planning Board has some daunting work and this would be an opportunity for both bodies to discuss some goals.

Jo said there was discussion and concern at the recent town meeting about the Gravel Ordinance. Planning Board chair John Holt noted that voters approved the ordinance in spite of the concern, and the same person who raised the concerns spoke last meeting with the Selectmen. He said if there are concerns, they should now be about the plan that is in place. He said it should be an opportunity to express concerns about ordinances that are in effect. He said the Planning Board can reflect on whether a concern was discussed or whether the concern is a new issue. He said he is a little concerned about the workshop becoming a public forum. He said there might be a couple of places in the gravel ordinance where things could be spelled out more clearly.

Jo said she has heard from several people. Rev. Holt said he was not interested in having the Planning Board justify how it arrived at some language. He said the town meeting is a done deal and he would be glad to listen about what is now in place. Jo said having those concerns placed in writing is a good idea. She said if the board has those concerns, they could discuss possible changes. She said the Selectmen have a concern about balancing interests, and environmental and land use matters are one of those issues. She said business is another that they have to think about as well. A brief discussion followed. Gary said he didn't think people wanted to tear the ordinance apart line by line.

Rev. Holt said he would also like to discuss the advisory vote on MUBEC (Maine Uniform Building and Energy Code). He said the Planning Board could use some guidance to find out what the task might be. He said that could be another task of the workshop. He said the Comprehensive Plan vote at town meeting could also be part of the workshop. He also mentioned a resolve in support of children passed by the town meeting and suggested the town needs to be proactive on that issue. He said he would hate to lose momentum toward support for kids and suggested a task force look into it.

Jo said the support for children matter could be related to the Comprehensive Plan. She said she would like to have some limited time for public comments at the workshop meeting, but the meeting is really a time to discuss matters between the two boards. She said it was not a public hearing – but written suggestions are a good idea. Rev. Holt said he was not interested in a debate but he is open to listening. Cynthia noted that ordinances are works in progress. Cathy Gaianguet said ordinances are organic documents that don't last forever, but are the best a town can do at a point in time. She said she wondered if the meeting could start with the Planning Board talking about its vision and saving public comments for another time.

Jo said the Selectmen certainly heard from some folks with a sense of urgency as a result of the Gravel Ordinance that passed. Carol Korty asked how the public could participate. She asked if the comments were to be in writing, would the Selectmen read them at the meeting, or give some assurance they were read. Jo said if comments are presented in writing, they will be read and the appropriate board would address them. She said the meeting is a chance for the two boards to discuss what will be going on for the next year, including working on the ordinance. A brief discussion followed on getting public input.

Planning Board member Gordon Donaldson said he kept a notebook of the ordinance changes. He said the Planning Board is open to suggestions at any time. He said there was very little public input on the latest Gravel Ordinance. Jo said that's the reason the public needs to pay attention.

Bernie said some folks on the sidelines have gotten engaged and there might be a few things that require another look. A discussion about public involvement followed. Nathan asked how people would still have a voice on an ordinance. He said gravel was not on his radar until just recently. He said it affects a lot of people's livelihood. He said he had heard all kinds of things and if this helps to address those issues it might be beneficial.

Jo noted both boards are working for the good of the town. Rev. Holt said he would be glad to hear what the concerns are and would ruminate on them but it should not be a debate. Cynthia said the encouragement of written comment should be placed on the public notice. Jo said the meeting is not the only opportunity to voice ideas. Rev. Holt said there are other ordinances that could use work.

Comprehensive Plan – Dr. Donaldson said the Planning Board bumps up against the lack of a current Comprehensive Plan all the time. Jo said the town meeting approved of having a committee to look into updating the Comprehensive Plan. She said the Selectmen should try to put together a group of people with a broad perspective to come up with a recommendation to put before the town meeting.

Rev. Holt said he sensed this was an initial committee and they would work on a plan to pick a committee. Ms. Korty said she thought the budget wasn't the key issue, but the committee was to start looking at what needs to be looked at. Jo said that was not correct; Ms. Korty's perception would be the job for the Comprehensive Plan Committee if that were formed. Ms. Korty said if work was done in advance, costs could be greatly diminished. Discussion followed on the timeline for the budget process. Ms. Gaianguet said the appointed committee could meet with the state person, come up with some goals for the plan, look at the 1996 plan and study collected information.

Cynthia asked how the pre-committee would be appointed. Stu said the Selectmen asked him to come up with a plan, and he submitted one for this meeting. Jo read the list of suggested appointment areas and said that would be a 7-member committee. She said the first step would be to decide on the number and composition of the committee. Gary said the proposal from Stu looked good to him, as it includes 3-members from the community at large. He said the Board should get the word out and let the different areas know about it, and try to appoint by the first meeting in May. There was no objection.

Road Sweeping – Cynthia noted a couple of errors in the proposed RFP for a 3-year sweeping bid. With those errors corrected, there was no objection to advertising for bids.

Lamoine Quarterly – Jo said she would review the final draft. She said if Stu didn't hear from her by the next day to go ahead and publish.

RSU 24 Withdrawal Update – Gary reported that the RSU withdrawal committee signed the withdrawal agreement and it was delivered last Friday to the State Department of Education. He said he spoke with Mark Rosborough and Ellsworth received conditional approval, so Lamoine's should be approved if the Ellsworth plan receives final approval.

Gary said there is a meeting on April 9, 2013 at 4:30 PM at Ellsworth City Hall for the three withdrawing communities. He said the wording on the Ellsworth agreement that needed fixing involved special education. He said there are no figures yet on how much it would cost each community to run its own school system. He said the next task is to get those budget figures for going it alone. He said if all three towns ultimately vote to withdraw, they are all open to combining services.

Gary said it appears the state plans to cut \$1.1 million dollars in funding from RSU 24 and that is regardless of whether the RSU exists or not.

Gary said the withdrawal committee still plans to have two forums to discuss the future. He said the RSU board would set up the official public hearing prior to the final withdrawal vote. He said they are now looking toward a November vote. He said it would be nearly impossible for Ellsworth to hold a June vote. Jo said it would be tough to know the figures in June. Gary agreed that it would be difficult and more time might be very helpful. Bernie asked if the meeting on the 9th is open to the public. Jo said it has to be. Gary said there has not been a lot of attendance at the meetings.

Dr. Donaldson said there is a withdrawal committee meeting on Monday the 8th at the town office. Stu reminded the committee that it needed to post public notice of the meetings and minutes are required. Dr. Donaldson agreed that it would be difficult to get a vote in June and the potential voting dates were discussed.

Cynthia thanked Gary for his time and his accurate reporting on the happenings of the withdrawal committee. Gary noted that the RSU 24 board chair resigned earlier in the week. Nathan asked if a November vote would give the town enough time to develop what the school system would look like. A discussion of the alignment possibilities followed.

Freedom of Access Act (FOAA) Training – Selectmen signed their forms indicating they had read the frequently asked questions document regarding the FOAA as required by state law.

Well Testing – Stu reported a proposal from MAI to sample the DEP installed wells around the landfill came in earlier in the day, and the price is not much higher than two years ago. Jo moved to accept the proposal. Gary 2nd. **Vote in favor was 5-0.**

Appointments – Stu reported that Connie Bender and Jane Fowler have offered their names for the alternate Budget Committee member post and Cece Ohmart has offered

to serve as the Alternate on the Board of Appeals, while Jon VanAmringe has offered to serve on the Local School Advisory Committee. Selectmen said they would shoot to make the appointments when they appoint Comprehensive Planning Committee members. Stu said he would contact those folks whose appointments expire in June to see if they wish to continue in their posts.

Returnables – Jo moved to award the proceeds from the returnable containers in August to Frenchman Bay Riders Snowmobile Club which had submitted an application. Gary 2nd. **Vote in favor was 5-0.**

State Valuation – Stu noted the proposed state valuation of Lamoine came in, and it has dropped, so the state value is closer to the local valuation.

Other Business – Cynthia said she noted that there were no refreshment/break opportunities at the annual town meeting, and that was an opportunity that was missed. She said there ought to be a built in break. She said it was a peculiar meeting in that some confusing items slid through without discussion. She said there should have been someone to present a discussion on each article ahead of the vote. A brief discussion followed. There was also a brief discussion on how to explain the budget impact when a budget article is amended by the town meeting.

Next Meetings – There will be a workshop meeting with the Planning Board on April 16, 2013 and the next regular meeting of the Selectmen is April 18, 2013.

There being no further business, the meeting adjourned at 8:53 PM.

Respectfully submitted,

Stu Marckoon, Adm. Asst. to the Selectmen